

Attachment to Independent Case Review Report
For CDRU # 6427 Case file # 95-255588.

Material Examiner: Malone (RO)

Remarks:

Case resulted in guilty plea.

Was any other material reviewed? ☒ Yes ☐ No

If yes, please identify and/or describe the material: Submitting agency letters (dated 5-24-83 and 8-26-83)

Results of Review

File #: 95-255588

Item or Specimen # Reviewed: Q1-Q25, K1, K3

Review of Laboratory Report(s) and Bench Notes:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

- 1) Did the examiner perform the appropriate tests in a scientifically acceptable manner, based on the methods, protocols, and analytic techniques available at the time of the original examination(s)?
☐ Yes ☐ No ☒ Unable to Determine
- 2) Are the examination results set forth in the laboratory report(s) supported and adequately documented in the bench notes?
☐ Yes ☒ No ☐ Unable to Determine

Review of Testimony:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

☒ Transcript not available.

- 3) Testimony consistent with the laboratory report(s)? ☐ Yes ☐ No ☐ Unable to Determine
- 4) Testimony consistent with the bench notes? ☐ Yes ☐ No ☐ Unable to Determine
- 5) Testimony within bounds of examiner's expertise? ☐ Yes ☐ No ☐ Unable to Determine

Page 2 of 3

Initials: SM

Comments

(Set forth by above question #, if applicable.
Use "Additional Comments" Sheet, if needed)

File #: 95-255588

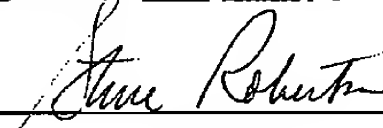
#1: With microscopic hair comparison, even with the best notes, there is no way to determine the comparison was performed correctly.

#2: The examination results set forth in the laboratory report are supported by the bench notes, but the documentation is marginally adequate. The notes are not dated or initialed and are in pencil. The notes do not indicate that hair was recovered from Q1-Q17, yet a hair from Q1 matched the victim's hair and a hair from Q15 matched the suspect's hair. Malone uses abbreviations to indicate the microscopic characteristics of the suspect's hair. These abbreviations are difficult to interpret. A detailed characterization of the victim's hair is not documented. While the failure to document these microscopic characteristics does not prevent a comparison from being performed, adequate documentation is achieved when this characterization is done.

Review completed at: 10:15 AM (Time), 03/15/2001 (Date)

Total time spent conducting review (to nearest 1/4 hour): 0:45 hours

I hereby certify that I conducted this review in an independent, unbiased manner and that the results of my review are fully documented on this report consisting of a total of 3 pages.


(Signature)

03/15/2001

(Date)

Page 3 of 3

Initials: 

Attachment to Independent Case Review Report
For CDRU # 6427 Case file # 95-255588.

Material Examiner: Malone (RO)

Remarks:

Case resulted in guilty plea.

Toolmark (wood handle) examination.

CRM 381 B

INDEPENDENT CASE REVIEW REPORT

Independent Review conducted by: Robert B. Moberley, U.S. Postal Inspection Service

Area(s) of Expertise: Fracture match / Physical reconstruction

Review commenced at: 12:45P (Time), 7/17/01 (Date)

File #: 95-255588

Laboratory #(s): 30526052 S RQ UL

30531083 S UL

Examiner(s) & Symbols

| | Reviewed | Not Reviewed | | Reviewed | Not Reviewed |
|--------------------|-------------------------------------|-------------------------------------|--|--------------------------|--------------------------|
| <u>Malone (RQ)</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| <u>(UL)</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| <u>b6</u> | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| <u>b7C</u> | | | | | |

Materials Reviewed

Trial testimony transcript(s) of: _____

Testimony Date(s): _____ Pages: _____

Laboratory Report(s):

Laboratory Number: 30526052 S RQ UL Date: 8/9/83

Laboratory Number: 30531083 S UL Date: _____

Laboratory Number: _____ Date: _____

Examiner Bench Notes of: Malone

Laboratory Number: 30531050

Laboratory Number: _____

Laboratory Number: _____

Page 1 of 3

Initials: RM

Was any other material reviewed? ☒ Yes

☐ No

If yes, please identify and/or describe the material:

Notes & photographs

Results of Review

File #: 95-255588

Item or Specimen # Reviewed: Q1 & Q2

Review of Laboratory Report(s) and Bench Notes:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

- 1) Did the examiner perform the appropriate tests in a scientifically acceptable manner, based on the methods, protocols, and analytic techniques available at the time of the original examination(s)?
☒ Yes ☐ No ☐ Unable to Determine
- 2) Are the examination results set forth in the laboratory report(s) supported and adequately documented in the bench notes?
☒ Yes ☐ No ☐ Unable to Determine

Review of Testimony:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

☒ Transcript not available.

- 3) Testimony consistent with the laboratory report(s)? ☐ Yes ☐ No ☐ Unable to Determine
- 4) Testimony consistent with the bench notes? ☐ Yes ☐ No ☐ Unable to Determine
- 5) Testimony within bounds of examiner's expertise? ☐ Yes ☐ No ☐ Unable to Determine

Page 2 of 3

Initials LC

Comments

(Set forth by above question #, if applicable.
Use "Additional Comments" Sheet, if needed)

Photo notes document the physical fit but are annotated with a lab number not listed in the other documentation or lab report. The other examiner laboratory notes thoroughly describe the items essentially confirming the photos.

Review completed at: 1:00 P (Time), 7/17/01 (Date)

Total time spent conducting review (to nearest 1/4 hour): 1/4 hour

I hereby certify that I conducted this review in an independent, unbiased manner and that the results of my review are fully documented on this report consisting of a total of 3 pages.

Robert R. Whaley 7/17/01
(Signature) (Date)

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Initials 2